

October 24, 2016

BY ECF

The Honorable Jesse M. Furman
U.S. District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *BlackRock Balanced Capital Portfolio (FI), et al. v. Deutsche Bank Nat'l Trust Co., et al.*,
No. 14-cv-9367-JMF-SN (S.D.N.Y.)

Dear Judge Furman:

On behalf of the parties in the above-referenced action, we write jointly in response to the Court's October 19, 2016 revised scheduling order regarding the pre-trial conference currently scheduled for November 3, 2016.

The parties have met and conferred and are in agreement that, in light of the extension of the discovery deadline, the pre-trial conference with Your Honor is not necessary at this time. While discovery is ongoing, the parties may need assistance resolving discovery issues, but will seek a conference with Magistrate Judge Netburn if that need arises.

Respectfully Submitted,

/s/ Timothy A. DeLange
Timothy A. DeLange
Bernstein Litowitz Berger & Grossman LLP
Counsel for Plaintiffs *BlackRock Balanced Capital Portfolio (FI), et al.*

/s/ Rollin B. Chippey, II
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Counsel for Defendants *Deutsche Bank National Trust Company and Deutsche Bank Trust Company Americas*